HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM : **HON'BLE SHRI H.L. DATTU, CJ.**
HON'BLE SHRI V.K. SHRIVASTAVA, J.

W.P. NO.1298 of 2001

PETITIONER Pyare Lal Gadaria, R/o. village Lakhsar, Tahsil – Takhatpur, Distt. Bilaspur (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through: Chief Secretary.
2. Union of India, Through: Secretary, Surface Transport.
3. Collector District Magistrate, Bilaspur.
4. Station House Officer, Lakhanpur, District, Surguja (C.G.)
5. District Collector, Surguja (C.G.)

Present : Ms. Bharti Soni, Amicus Curiae on behalf of the petitioner
Shri Vinay Harit, Dy. A.G. for the State.
Smt. Renu Kocher, counsel for Ajit Hotel.

ORAL ORDER
(Passed on 15th March, 2007)

This Court taking into cognizance a paper report which appeared in Danik Bhaskar dated 1.8.2001 had registered the case as Public Interest Litigation.

(2) The news report was that son of Pyarelal, resident of village Lakhasar, Tehsil Takhatpur, Distt. Bilaspur died in an accident. The father of the deceased had to perform the last rites of his son by selling his cow. Further, it was reported that the District Collector did not assist the father of the deceased by giving him any compensation amount.

29

(3) This Court had appointed Smt. Bharti Soni as Amicus Curiae to assist the Court and further directed the State Government to pay a sum of Rs.10,000/- to the father of the deceased, namely, Pyarelal.

(4) The respondents have filed their counter in this petition. In that they have stated that they have complied with the interim directions issued by this Court.

(5) Since, the respondents have already paid a sum of Rs.10,000/-, it is now for the father of the deceased to approach either Motor Accident Claims Tribunal or the Competent Authority under the provisions of the Workmen Compensation Act, if he is of the opinion that he is entitled for higher compensation.

(6) In view of the above, we do not intend to keep this petition pending on our Board. Accordingly, this writ petition is disposed of. Liberty is reserved to the father of the deceased to approach either Motor Accident Claims Tribunal or the Competent Authority under the provisions of the Workmen Compensation Act, if he is of the opinion that he is entitled for higher compensation.

(7) For assisting the Court, the State Government is directed to pay a sum of Rs.5,000/- to Smt. Bharti Soni who was appointed as Amicus Curiae by this Court. Ordered accordingly.

Sd/-
Chief Justice

Sd//-
V.K.Shrivastava
Judge